



## **HUNTING IN YOUR COMMUNITY**

**Middletown Township is a community that still boasts many large areas of woods and fields, often on adjoining properties that may extend for several miles at a time. In addition to providing a very enjoyable atmosphere, these large tracts of open area serve as a natural habitat for many animals, including deer. There are times, however, when this type of natural setting can become a concern.**

**Some residents in Middletown may find themselves now, or in the future, in a situation where they become aware of hunting activities on their property or on a neighbor's property. Most often, these activities are being conducted in full compliance with existing laws, although situations do develop where these activities are being conducted improperly.**

**What can be done in a situation like this and what can be done by property owners to minimize problems of illegal hunting are topics covered by this brochure, which has been compiled and distributed by Middletown Township as a service to its residents.**

**(Revised June 2008)**

# KEY PROVISIONS OF THE STATE GAME LAWS AND STATE CRIMINAL CODE

**Authorized Hunting Seasons** Broadly speaking, small game seasons start no earlier than October 17th and, with some interruption, run no later than January 23rd. Groundhogs or woodchucks, skunks, opossums, weasels, and coyotes can be hunted almost year round with no exception. Bear hunting is not allowed in this portion of the state. Deer hunting, with limits for certain types of deer and certain weapons, generally starts no earlier than October 3rd and, with some interruptions, continues through January 9th. Additional regulations exist for turkey hunting and trapping.

**Types of Weapons Permitted/Prohibited** In Delaware County, shotguns, muzzle loaders and bows and arrows (including compound bows) are permitted for hunting. In an effort to increase harvest efficiency in developed areas, crossbows are also now legal sporting arms during all archery seasons in Wildlife Management Units (WMU) 5C and 5D (Southeast PA counties). In all cases, the use of semi-automatic rifles and pistols and air or gas-operated rifles and pistols are prohibited.

**Safety Zones** It is unlawful to hunt for, shoot at, trap, take, chase or disturb wildlife within 150 yards of any occupied residence, camp, industrial or commercial building, farm house, or school or playground without the permission of the occupants. In WMUs 5C and 5D, safety zones for archery hunting have been reduced from 150 yards to 50 yards to increase effectiveness of hunting in reducing deer-human conflicts in developed areas. This also applies to crossbows. It is unlawful to shoot into a safety zone, even if you are hunting outside of the zone. Driving game, even without a firearm or bow, within a safety zone without permission is unlawful. Hunting on hospital and institutional grounds, and in cemeteries, is also prohibited. It is also unlawful to hunt in unharvested buckwheat, corn, sorghum or soybean fields without permission of the owner or person in charge of the property. It is unlawful for any person to shoot at any game or wildlife while it is on public highway or to shoot across a highway unless the line of fire is high enough above the elevation of the roadway to preclude any danger to the users of the highway.

**Spotlighting** It is unlawful to spotlight (1) between the hours of sunrise and 11p.m. or (2) at any time upon a building, or (3) at any time while having in possession or under control a firearm, bow or any other implement whereby any big game may be killed, or (4) in any manner which frightens, excites or harasses livestock, poultry or other farm animals or (5) during regular deer season. It is unlawful to use any artificial light while hunting game, except that a person on foot may use an artificial light while hunting game, except that a person on foot may use an artificial light normally carried on the person to take raccoons, skunks, opossum or foxes.

**Trespassing** A hunting license is not an entitlement to trespass—permission of the property owner should be obtained in advance by the hunter.

## **Miscellaneous**

- Bear, deer and woodchuck hunters must wear a minimum of 250 sq. inches of fluorescent orange or a cap.
- Generally speaking, hunting is permitted from sunrise to sunset.
- A license for all types of hunting is required and must be displayed on the back of the hunter's outer garment.
- Hunting on Sundays is prohibited.
- It is unlawful to hunt from or use any motorized vehicle.
- It is now lawful to hunt or take deer on private lands only in the southeast special regulations areas (Bucks, Chester, Delaware, Montgomery and Philadelphia counties) through the use of or taking advantage of bait. Bait may be placed or distributed two weeks prior to the opening of the first deer season and continue until the deer seasons conclude. Bait accumulation may not exceed 5 gallons.

# **FREQUENTLY ASKED QUESTIONS:**

## **1. Who is responsible for protecting a property owner from hunting activities?**

The Regional headquarters for the Southeast region can be contacted at: 448 Snyder Road, Reading, PA 19605, **(610) 926-3136**. Problems that are not directly covered by the State Game Laws should be reported to the PA State Police Barracks: **(484-840-1000)**. If the problem is taking place on private property that is not yours, call the property owner involved and report the problem to them. Also, contact one of the above agencies if the problem is a potential game law violation. If the problem involves trespassing, the following information applies.

Trespassing complaints are enforced by the State Police in Middletown Township. The game protector does not enforce trespassing problems. The State Police will investigate trespassing complaints only upon the complaint of the involved property owner, unless the property owner has provided a blanket intent to prosecute for trespassing apprehensions, at which point trespassing reports will be accepted from other parties. The fact that property is posted against hunting or trespassing in general does not mean that it cannot be hunted upon. A property owner can give permission to individuals to hunt on the property while excluding the public at large. If hunting is a problem in your immediate area, it is suggested that property owners contact each other before the start of hunting season to determine whether any permission has or will be given for hunting on their properties. This may clarify a situation, when hunting activity is observed during the hunting season and a property owner cannot be quickly contacted.

## **2. Can someone be arrested for carrying a gun?**

Currently, carrying a firearm in public is not necessarily a violation of the law. All hand guns and short barrel rifles require firearms licenses. Hunting rifles and bows and arrows do not require permits for use or transportation. Under the state game laws, it is unlawful to possess a firearm of any kind in or on any vehicle unless all shells or cartridges have been removed from that firearm. Under the Uniform Firearms Act, the discharge of unlawful firearms is automatically prohibited. Within this category are automatic weapons, sawed-off long guns and unregistered short guns.

## **3. Can the State Police provide any assistance to me?**

Although the State Police do not routinely investigate hunting complaints, they will respond to trespassing complaints where the complaint is being made by a property owner or where they have assurance that the property owner will prosecute an apprehension. Also, the State Police will investigate reports of persons carrying firearms, to determine whether any public safety problems exist. Also, where there is some indication that an activity in the judgment of the responding officer involves "reckless endangerment" they have enforcement capability.

#### **4. If I see hunting or gun violation, what should I do?**

For violations of the State Game Laws, the District Game Protector should be contacted. Hunting is not permitted at any time in Ridley Creek State Park unless by special state program. Complaints about illegal park hunting should be made to the Ridley Creek state Park office during park house, 8AM—4PM (892-3900) or referred to the State Police Media Barracks after hours. Complaints of trespassing should be made to the State Police Media Barracks, where trespassing is occurring on your property. Where trespassing is occurring on a neighbor's property, a call should be made first to the property owner whose property the violation is occurring on. Then, if a trespassing violation is occurring, the State Police Barracks should be notified.

#### **5. What can I do to minimize the illegal hunting activities in my area?**

- A) Familiarize yourself with the general game law provisions and provisions on trespassing.
- B) Limit your property to hunting by erecting a fence or other enclosure, provide a verbal warning to all persons seen on your property, and/or post no trespassing signs at frequent locations along your entire property boundary.
- C) Call the State Police or Game Protector any time any illegal hunting activity or trespassing is taking place in your area. If the activity is taking place on your property, be prepared to pursue a trespassing complaint through the court system and advise the State Police of this.
- D) Work with your neighbors to keep an eye on each other's properties, and report all suspicious persons or vehicles in your area, particularly during hunting season.
- E) Participate in a neighborhood watch program to assist in keeping an eye on problem properties, and consider participation in your neighborhood's Townwatch program to undertake a more aggressive patrolling posture.
- F) Determine in advance whether your neighbors intend to give permission to anyone to hunt on their property during hunting season. Also determine in advance whether your neighbors will prosecute trespassers, and if so ask them to put that intent in writing and submit it to the State Police for file purposes. In that situation, a trespassing complaint can be followed up on by the state Police, even if no contact can be made with the property owner at the time that the violation is occurring.

**All information on this brochure is subject to change and any questions should be directed to the Southeast Region Game Commission office (610) 926-3136. More information can be found by visiting the Pennsylvania Game Commission website at [www.pgc.state.pa.us](http://www.pgc.state.pa.us).**